DOCKET NO.: MSFT-0234/155631.1
Application No.: 09/767,768
Office Action Dated: 08/03/2004

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS

Status of the Application

Claims 1 through 18 are pending in the present application. Claims 1 through 18 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,279,151 ("Breslau et al.") in view of the document <u>Reading CGI Data: Url-Encoding and the CGI Protocol</u> by Morton ("Morton").

The 35 U.S.C § 103(a) Rejections

The Claimed Systems and Methods

Claim 1 is directed to a method for compiling a source code file on a client computer, the source code file being stored on a remote server computer and being assessable via web protocols, the method comprising:

> (a)   accepting a manually specified compile command, the compile command including a set of parameters, the set of parameters including an identifier corresponding to the source code file;
>
> (b)   executing a compile procedure corresponding to the compile command, the compile procedure effecting conversion of the source code file into a file executable on the client computer,
>
> wherein step (b) includes downloading the source code file from the remote server computer to the client computer using web protocols without executing a manually specified download command, and
>
> further **wherein the identifier corresponding to the source code comprises an identifier of executable code, and downloading the source code file comprises transmitting to the remote server the identifier corresponding to executable code and at least one parameter used by the executable code to identify the source code.**

Similarly, claim 4 is directed to a computer-based method for executing an application on a client computer, the application functioning to process file data stored on a remote server computer, the file data stored on the remote server computer being accessible via web protocols, the method comprising:

> (a)   accepting a manually specified execute command, the execute command including a set of parameters, the set of parameters including an identifier corresponding to the file data;

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      (b)   executing a procedure corresponding to the execute command, the procedure manipulating the file data on the client computer,

      wherein step (b) includes downloading the file data from the remote server computer to the client computer using the web protocols without executing a manually specified download command, and

      further **wherein downloading the file data comprises transmitting to the remote server computer an identifier of executable code and at least one parameter used by the executable code to derive the file data.**

Claim 9 is directed to a computer system including a processor, memory associated with the processor, and a storage medium capable of storing a data file, the data file having a corresponding file identifier, the system comprising:

      (a)   an application software component comprised of instructions in the memory and executable by the processor, the application software component functioning to process the data file; and

      (b)   an I/O software component comprised of instructions in the memory and executable by the processor, the I/O software component functioning to accept the file identifier, to determine whether the file identifier is a URL and, if so, to retrieve the data file from a remote server using the file identifier and, if not, to retrieve the data file from the storage medium using the file identifier,

      wherein said file identifier identifies executable code, and wherein said I/O software component functioning to retrieve the data file from a remote server using the file identifier operates by transmitting to the remote server said file identifier with at least one parameter, said at least one parameter being executable by the executable code identified by said file identifier.

Claim 18 is directed to a computer-readable storage medium used in a computer system having a processor, memory associated with the processor and a storage device having a data storage medium, the computer-readable storage medium having instructions capable of being executed by the processor for performing the following:

      (a)   accepting a file identifier corresponding to a data file; and

      (b)   determining whether the file identifier is a URL and, if so, retrieving the data file from a remote server using the file identifier and, if not, retrieving the data file from the data storage medium using the file identifier,

      wherein said file identifier identifies executable code and retrieving the data file from a remote server comprises transmitting the file identifier and at least one parameter for executing the executable code.

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In order for a reference or set of references to render these claims obvious, the reference must disclose each of the claimed elements, including those emphasized, and suggest the claimed combination. More particularly, the references must teach **an identifier corresponding to source code comprising an identifier of executable code, and downloading the source code file comprising transmitting to a remote server the identifier corresponding to executable code and at least one parameter used by the executable code to identify the source code**. Applicant's undersigned representative respectfully submits that none of the references even teach the emphasized limitations, and cannot possibly suggest their combination with the other claimed elements.

Breslau et al. purport to disclose a method and apparatus for operating a compiler to process include statements resident at non-connected network locations. (Abstract). When an include option specifies an include file resident at a non-connected network, the compiler establishes a connection with the network and obtains the file. (Abstract). Thus, Breslau et al. teach a system wherein an include file is identified and downloaded from a remote source.

Morton discloses a general overview of the CGI protocol (Morton, page 1). Morton includes a description of common methods for transmitting data to a CGI script, including the GET and POST methods, as well as using the query string and path info (Id.). In addition, Morton describes how a web browser packages CGI data using url-encoding (Id.).

The Examiner admits that Breslau does not disclose "the identifier corresponding to the source code comprising an identifier of executable code, and downloading the source code file comprises transmitting to the remote server the identifier corresponding to executable code and at least one parameter used by the executable code to identify the source code." (Office Action at page 4). However, the Examiner states that Morton discloses that it was well known to use a URL to point to an executable CGI script along with parameters used by the executable script, and therefore it would have been obvious to use the URL is the system of Breslau et al to point to an executable script (Id.). Applicants undersigned representative respectfully disagrees.

In truth, Morton describes the use of CGI to *upload* data from a user to a web server. Morton simply does not disclose or even suggest *downloading* a source code file and most definitely does not teach doing so **by transmitting to a remote server the identifier corresponding to executable code and at least one parameter used by the executable**

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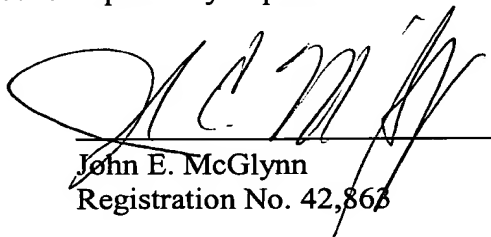Application No.: 09/767,768
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code to identify source code. Morton teaches using CGI scripts for an entirely different purpose and in a different manner. Indeed, there is no mention in Morton of using CGI scripts to retrieve source code, nor is there any mention of using CGI scripts to download files of any kind. Furthermore, even if Morton taught the claim elements attributed to it (which it does not) there is no teaching in Morton to combine its teachings with Breslau et al. to create the claimed invention. Therefore, because the references entirely fail to teach the claim limitations emphasized above, it is not possible that the references could suggest the combination of the emphasized claim limitations with the other recited elements. Accordingly, withdrawal of the prior art rejections is respectfully requested. If the Examiner maintains the rejection, Applicant's undersigned representative respectfully requests that in order to move prosecution forward the Examiner quote the specific language in the reference that allegedly teaches the claim limitations discussed above.

CONCLUSION

Applicant's undersigned representative respectfully submits that the claims are in condition for allowance. A Notice of Allowance is respectfully requested.

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